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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

**BASF AGROCHEMICAL PRODUCTS : DOCKET NO. 05 CV 1478**  
**B.V. and BASF CORPORATION**

**VS. : JUDGE MINALDI**

**MICHAEL T. UNKEL; MICHAEL W. : MAGISTRATE JUDGE WILSON**  
**UNKEL; KINDER CANAL**  
**COMPANY, INC.; AND KENNETH**  
**McCOWN**

**MEMORANDUM ORDER**

Before the court is Defendants' Motion for Reconsideration [Doc. 75] of this court's November 16, 2005 ruling from the bench that Plaintiffs have standing to sue under the Patents-in-Suit and the PVPA's-in-Suit.

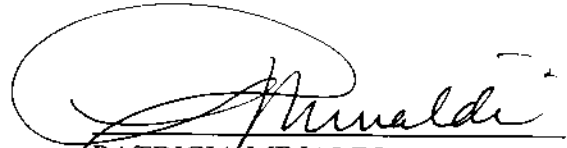
Reconsideration of a judgment pursuant to Federal Rule of Civil Procedure 59(e) is an extraordinary remedy that should be used sparingly. *Templet v. HydroChem Inc.*, 367 F.3d 473, 479 (C.A.5 (La.),2004) (citations omitted). Such a motion "serves the narrow purpose of allowing a party 'to correct manifest errors of law or fact or to present newly discovered evidence.'" *Waltman v. International Paper Co.*, 875 F.2d 468, 473 (C.A.5 (La.),1989) (quoting *Keene Corp. v. International Fidelity Insurance Co.*, 561 F.Supp. 656, 665 (N.D.Ill.1982), *affd.* 735 F.2d 1367 (7th Cir.1984)).

Defendants' arguments regarding standing have already been submitted to and considered by this court. Further, Defendants have presented no newly discovered evidence to warrant the

extraordinary relief associated with the granting of a motion for reconsideration.

Accordingly, Defendants' Motion for Reconsideration IS DENIED.

Lake Charles, Louisiana, this 13 day of February, 2006.



PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE